

From: Matthew Jenove
To: Microsoft ATR
Date: 1/23/02 1:48pm
Subject: Microsoft Settlement

Summary: The proposed judgment falls short of intended goals.

To whom it may concern:

I am concerned that the proposed Final Judgment against Microsoft fails to end its anticompetitive practices for a number of reasons:

* Narrow Definitions of Terms

The terms "API", "Microsoft Middleware (Product)", and "Windows Operating System" are defined quite explicitly; so explicitly that it leaves numerous loopholes through which Microsoft can continue many of its current practices.

* Proprietary File Formats

One of the ways Microsoft perpetuates the dominance of its Office suite is by not disclosing the way that files (word processing documents, spreadsheets) are formatted. As a consequence, if you wish to share the documents that you have created, those computer users must have also purchased MS Office. And again, when Microsoft releases new versions of Office and changes the file format, one is forced into buying the latest Office version in order to continue to read files created by others.

* Anti-Competitive Enterprise Licensing

Enterprise (i.e. schools, businesses, governments) license agreements often charge a fee for each desktop or portable computer which could run a Microsoft operating system, regardless of whether any Microsoft software is actually installed on the affected computer. This removes any financial incentive to use alternative operating systems or software.

These are but a few of the things that appear to not be sufficiently addressed in the proposed Final Judgment. I urge the Department of Justice to review the proposed judgment and not let Microsoft continue its anticompetitive practices.

Sincerely,

Matthew Jenove
Software Engineer